

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RICHARD BARROW,)	CASE NO. 1:16CV2076
)	
Petitioner,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>OPINION AND ORDER</u>
)	
ALAN J. LAZAROFF,)	
)	
Respondent.)	

This case is before the Court on the Report and Recommendation of Magistrate Judge James R. Knepp ("R&R"). (**Doc #: 18.**) The Magistrate Judge recommends that the Court dismiss Richard Barrow's Petition under 28 U.S.C. § 2254 because Grounds Two-Four are procedurally defaulted and Ground One is meritless.

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1) (emphasis added). In this case, the R&R was issued on August 3, 2018, and it is now August 27, 2018. Twenty-four days have elapsed since the R&R was issued, and Petitioner has neither filed objections nor a request for an extension of time to file them. The failure to timely file written objections to an R&R constitutes a waiver of a *de novo* review by the district court of any issues covered in the R&R. *Thomas v. Arn*, 728 F.2d 813 (6th Cir.

1984); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Despite the lack of objections, the Court has reviewed the Magistrate Judge's thorough, well-written R&R, and agrees with the Magistrate Judge's findings. Therefore, the Court **ADOPTS** the R&R. (**Doc #: 18**). Accordingly, the Court hereby **DISMISSES WITH PREJUDICE** the § 2254 Petition (**Doc #: 1**).

IT IS SO ORDERED.

/s/ Dan A. Polster Aug. 27, 2018
Dan Aaron Polster
United States District Judge